

**Supplemental  
Notice of Allowability**

Application No.

09/665,413

Examiner

Gevell Selby

Applicant(s)

SATO, KOICHI

Art Unit

2622

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 11/6/06.
2. ☒ The allowed claim(s) is/are 1,3,5,7-11,13,15-20 and 23-25, renumbered as claims 1-18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

### **DETAILED ACTION**

1. The applicant's representative called on 12/15/06 to inform the examiner that claim 12, which had been cancelled, had been mistakenly listed as allowed on the Notice of Allowance. Therefore, this Supplemental Notice of Allowance corrects that issue.

### ***Allowable Subject Matter***

2. Claims 1, 3, 5, 7-11, 13, 15-20 and 23-25 are allowed.

The following is an examiner's statement of reasons for allowance:

In regard to claims 1, 3, 5, 7-11, 15, 17, 19, 23, and 25, the prior art does not disclose a photographing operation control device with the combination of limitations specified in the claimed invention, specifically the limitations of:

a photographing mode selecting processor that selects one of said blank photographing mode and said normal photographing mode, said photographing mode selecting processor being able to select said blank photographing mode when said recording medium sensing processor and said blank recording area sensing processor sense that the recording medium having the blank recording area is installed in said device,

wherein said blank photographing operation performing processor performs said photographing operation in said blank photographing mode when said recording medium sensing processor senses that said recording medium is not mounted: and

wherein the volatile buffer memory is configured such that, in the blank photographing mode, image data in the volatile buffer memory is overwritten with the subsequent image data without previously, having been transferred to the recording medium, as claimed in claim 1.

In regard to claims 13, 16, 18, 20 and 24, the prior art does not disclose a photographing operation control device with the combination of limitations specified in the claimed invention, specifically the limitations of:

a photographing mode set switch for switching a photographing operation between a normal photographing mode and a blank photographing mode,

wherein when said photographing operation is set to said blank photographing mode and an image is photographed, said system controller stores image data in said buffer memory and does not automatically transfer said image data to a recording medium,

wherein when a recording medium is not installed in said electronic still camera, said system controller automatically sets said photographing operation to said blank photographing mode, and

when a recording medium is installed but does not include a blank recording area sufficient to store image data, said system controller automatically sets said photographing operation to said blank photographing mode; and

wherein the volatile buffer memory is configured such that, in the blank photographing mode, image data in the volatile buffer memory is overwritten with the

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subsequent image data without previously having been transferred to the recording medium, as stated in claim 13.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gvs



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